

REMARKS

Applicants have amended the claims to remove errors in antecedent basis and Markush terminology that the Examiner may have overlooked and to clarify that the resin of the polyolefin layer of claim 3 is selected from a group that does not include ethylene homopolymers. Applicants have also defined the ethylene and nitrogen functional group contents more clearly. The amendment to at most 1% by weight of ethylene in the polyolefin resin layer is implicitly supported on page 8 of the specification, which states that a 4% ethylene copolymer can be included in an amount up to 25% by weight of the polypropylene first skin layer. Finally, applicants have added new claims 17 and 18, which parallel claim 2. Entry of these amendments, which do not introduce new matter, is respectfully requested.

Claims 1-16 stand rejected under 35 USC 103(a) on Wilkie '915 in view of Wilkie '612, applicants' admissions and Spence. This rejection is respectfully traversed.

The cold seal receptive layer disclosed in Wilkie '915 consists of 60-90% of an EP copolymer of 2-10% ethylene (C₂) content and 10-40% TiO₂ (col. 4, lines 34-38, and col. 8, lines 8-13). The minimum ethylene content of this layer is thus 1.2%, above the claimed ethylene content, so Wilkie '915, contrary to the reasoning in the Action, does not disclose the claimed cold seal layer. Wilkie '915 states in column 4, the portion principally relied on by the Examiner, that using an EP copolymer of 2-10 wt.% of ethylene with 90 to 98 wt% of propylene gives the advantages set forth in column 4, lines 45-63; persons of ordinary skill in the art considering Wilkie '915 would have thought that using an EP copolymer with at most 1 wt% ethylene as claimed – far below the minimum of 2 wt% ethylene disclosed in column 4 and less than the minimum of 1.2 wt% broadly disclosed in Wilkie '915 – in the cold seal layer would not have given rise to the advantages disclosed in Wilkie '915 and thus would not have been motivated to use at most 1 wt% ethylene in the cold seal as claimed. Since Wilkie '915 does not provide the disclosure for which the Examiner relies on it, this rejection cannot stand.

Applicants also note that their Example 1 shows that using basically a 100% propylene homopolymer with 0% ethylene content with the surface treatment method that gives 0.3% nitrogen functional groups gives surprisingly good cold seal receptivity on a *homopolymer* layer, without needing EP copolymer blends to enhance cold seal receptivity. This shows that claims 2, 17 and 18 at least are allowable even if Wilkie '915 in combination with the other cited references were to set forth a *prima facie* case of obviousness.

Applicants further note in traversal of the rejection that the cold seal receptive layer disclosed in Wilkie '612 is rather remote from the claimed layer, in that it comprises blends of thermoplastic (TP) rubbers and polyolefins. These TP rubbers are fairly exotic, the preferred ones being styrene-based such as SIS or SBS rubbers, and such a blend with alpha polyolefins causes the layer to take on a matte appearance. Although Wilkie '612 discusses the added benefits that discharge treatment provides, Wilkie '612 does not disclose that the types of functional groups imparted by the treatment method are important in imparting to cold seal receptivity or enable propylene homopolymers in particular to be an excellent cold seal receptive surfaces. Thus, persons of ordinary skill in the art would not have been motivated to look to Wilkie '612 in combination with Wilkie '915 because their basic subject matter is so different and because they are not directed to solving the same problems.

Applicants' alleged admissions and Spence do not overcome the deficiencies of Wilkie '915 and '612 noted above, since all the Examiner cites them for is a disclosure of discharge treatment methods including corona treatment.

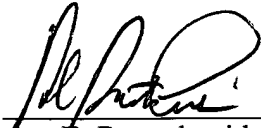
Early action allowing claims 1-18 is solicited.

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